

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Eastern District Of New York
(State)Case number (if known): _____ Chapter 11☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. **Debtor's name** FPF RESTAURANT, INC

2. **All other names debtor used in the last 8 years** Piccolo Fiore
 Include any assumed names, trade names, and *doing business* as names

3. **Debtor's federal Employer Identification Number (EIN)** 20 - 4349478

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>230 East 44th Street, Ground Floor</u> Number Street	<u>84-22 Grand Avenue</u> Number Street
	<u>New York</u> <u>NY</u> <u>10017</u> City State ZIP Code	<u>Elmhurst</u> <u>NY</u> <u>11373</u> City State ZIP Code
	<u>NEW YORK</u> County	Location of principal assets, if different from principal place of business _____ Number Street _____ City State ZIP Code

5. **Debtor's website (URL)** _____

6. **Type of debtor**

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

Debtor FPF RESTAURANT, INC Case number (if known) _____

Name

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

7 2 2 1**8. Under which chapter of the Bankruptcy Code is the debtor filing?****Check one:**

- ☐ Chapter 7
- ☐ Chapter 9
- ☒ Chapter 11. **Check all that apply:**
- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.
- ☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY

District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?☒ No

☐ Yes. Debtor _____ Relationship _____
District _____ When _____
MM / DD / YYYY

Case number, if known _____

List all cases. If more than 1, attach a separate list.

Debtor FPF RESTAURANT, INC Case number (if known) _____
Name

11. Why is the case filed in *this* district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
 What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property? _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Is the property insured?

- ☐ No
- ☐ Yes. Insurance agency _____
- Contact name _____
- Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated assets

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor FPF RESTAURANT, INC Case number (if known) _____
Name

16. Estimated liabilities

- | | | |
|---|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input checked="" type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- ☐ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- ☐ I have been authorized to file this petition on behalf of the debtor.
- ☐ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 01/17/2017
MM / DD / YYYY

X/S/ MARIA NUBILE

Signature of authorized representative of debtor

Maria Nubile

Printed name

Title PRESIDENT**18. Signature of attorney****X**/S/ GARY M. KUSHNER

Signature of attorney for debtor

Date 01/17/2017MM / DD / YYYYGary M. Kushner

Printed name

Goetz Fitzpatrick LLP

Firm name

One Penn Plaza, Suite 3100

Number Street

New York

City

NY
State10119
ZIP Code(212) 695-8100

Contact phone

gkushner@goetzfitz.com
Email addressGMK9441

Bar number

NY
State

United States Bankruptcy Court
Eastern District of New York

In re **FPF RESTAURANT, INC**

Case No.

Debtor.

Chapter **11**

STATEMENT OF CORPORATE OWNERSHIP

Comes now **FPF RESTAURANT, INC** (the "Debtor") and pursuant to Fed. R. Bankr. P. 1007(a) and 7007.1 state as follows:

 All corporations that directly or indirectly own 10% or more of any class of the corporation's equity interests are listed below:

OR,

X There are no entities to report.

By: **/S/ GARY M. KUSHNER**

Gary M. Kushner
Signature of Attorney

Counsel for
Bar no.: **GMK9441**
Address.: **One Penn Plaza, Suite 3100**
New York, New York 10119

Telephone No.: **(212) 695-8100**
Fax No.: **(212) 629-4013**
E-mail address: **gkushner@goetzfitz.com**

44TH STREET MIDTOWN HOLDINGS LLC
134 West 25th Street
2nd Floor
New York NY 10001

Action Environmental Services

300 Frank West Burr Blvd Suite 39
Teaneck NJ 07666

AIRITE/AIREACTOR SYSTEMS AND SERVICES, I
5 Railroad Pl
Maspeth NY 11378

ALMA GOURMET
3912 Crescent Street
Long Island City NY 11101

BALDOR'S SPECIALTY FOODS, INC.
155 Food Center Drive
Bronx NY 10474

CAFFE SACCO, INC.
43 Polk Avenue
Hempstead NY 11550

CASEIFICIO ITALIA
1267 Randall Avenue
Bronx NY 10474

CINTAS CORPORATION #790
PO BOX 630803
CINCINNATI OH 45263

CONTINENTAL GUEST SERVICES
1501 Broadway
Suite 1814
New York NY 10036

DREAM WELL WINES, INC.
254 36 th Street
Suite C251
Brooklyn NY 11232

ECOLAB
POBOX 32027
New York NY 10087-2027

GUZMAN PRODUCE
2416 Pitkin Ave
Brooklyn NY 11208

IDEAL AIR CONTROL, INC.
344B Maujer Street
Brooklyn NY 11206

IL FORNARETTO BAKERY
7616 17th Avenue
Brooklyn NY 11214

IMPERIAL SANITATION CORP.
PO BOX 65
Little Neck NY 11363-0065

INTERNAL REVENUE SERVICE
2 MetroTech Center
Brooklyn NY 11201

JPMORGAN CHASE & CO
2270 Park Avenue
38th Floor
New York NY 10117

LASEDE CORP DBA BACCHUS CELLAR
27 Honeck Street
Englewood NJ 07631

LOBSTER PLACE WHLSL DIV
531533 Bryant Avenue
Bronx NY 10474

M & R CASEARIA, LLC
773 7TH Street
Secaucus NJ 07094

M.FERRARI CUTLERY RENTAL SERVICE
16 Short Hills Blvd
Jackson NJ 08527

MAR REFRIGERATION, INC.
5963 56TH Road
Maspeth NY 11378

MICROS RETAIL SYSTEMS, INC.
1200 Harbor Blvd
10th Floor
Weehawken NJ 07086-6732

MONSEIUR TOUTON SELECTION LTD
129 West 27th Street
9th Floor
New York NY 10001

NYS DEPARTMENT OF LABOR
WA Harriman Campus
Building 12
Albany NY 12240

NYS Department of Taxation and Finance
PO Box 15172
Albany NY 12212-5172

ON HOLD MARKETING & COMMUNICATIONS
48 Fox Chase Ln
Studio B
Ledgewood NJ 07852

OPEN TABLE, INC.
PO BOX 671198
Dallas TX 75267-1198

QUALITY LINEN SUPPLY
POBOX 560203
Ollege Point NY 11356

RPO INCORPORATED
146 West 29th Street
Suite 2E
New York NY 10001

SOUTHERN WINE & SPIRITS OF NY
313 Underhill Blvd
Syosset NY 11791

SPATOLA
1267 Randall Avenue
Bronx NY 10474

TIME WARNER CABLE
POBOX 9227
Uniondale NY 11555-9227

TOM CAT BAKERY
PO BOX 844040
Boston MA 02284-4040

TRI VIN IMPORTS, INC.
1 Park Ave 2 Mt Vernon NY 10550
2
Mt Vernon NY 10550

WHITE HOUSE VEAL CORP.
3591 Lorrie Drive
Oceanside NY 11572